


Presented to the Court by the foreman of the
Grand Jury in open Court, in the presence of
the Grand Jury and FILED in the U.S.
DISTRICT COURT at Seattle, Washington.

December 13 20 18
WILLIAM M. McCOOL, Clerk
By  Deputy

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CASE NO. CR18-5579RBL

SUPERSEDING INDICTMENT

- (1) CARLOS EDUARDO LOPEZ
HERNANDEZ,
- (2) DANIEL OSVALDO ROCHA LOPEZ,
- (3) JAIME HEREDIA CASTRO,
- (4) JUAN AVILES BERRELLEZA,
- (5) EDGAR CABRERA,
- (6) OTHON ALONSO VEA
CERVANTES,
Formerly charged under the name
"Carlos Alejandro Castro Perez,"
- (7) CESAR LOYA SOTO,
- (8) MANUEL LOYA SOTO,
- (9) JULIAN GAUGE ORDONEZ,
- (10) JOSE LUIS SIERRA BARRIENTOS,
- (11) HECTOR MANUEL URIAS
MORENO,
- (12) JORGE VALENZUELA ARMENTA,
- (13) URIEL ZELAYA,
- (14) ARTURO FRIAS CEBALLOS,
- (15) JUAN JOSE HIGUERA GONZALEZ,
- (16) JESUS RENE SARMIENTO
VALENZUELA,
- (17) ALEK JAMES BAUMGARTNER,
- (18) MONIQUE GREEN,
- (19) ANDREW CAIN KRISTOVICH,

SUPERSEDING INDICTMENT

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(21) JOSE RANGEL ORTEGA,
(22) GERALD KEITH RIGGINS,
(23) ESTHER LA RENA SCOTT,
(24) MICHAEL JOHN SCOTT,
(25) KAREN SURYAN,
(26) ORLANDO BARAJAS,
(27) OSCAR HUMBERTO CARRILLO
SALCEDO,
(28) MARTIN GONZALEZ JIMENEZ,
(29) HECTOR MARIO JACOBO
CHAIRES,
(30) JESUS ALFONSO MORA
QUINONEZ,
(31) RAMON PUENTES, and
(32) GREGORY DAVID WERBER,

Defendants.

The Grand Jury charges that:

COUNT 1

(Conspiracy to Distribute Controlled Substances)

Beginning at a time unknown and continuing until on or about December 6, 2018,
in Pierce, Kitsap, King, Skagit, and Snohomish Counties, within the Western District of
Washington, and elsewhere, CARLOS EDUARDO LOPEZ HERNANDEZ, DANIEL
OSVALDO ROCHA LOPEZ, JAIME HEREDIA CASTRO, JUAN AVILES
BERRELLEZA, EDGAR CABRERA, OTHON ALONSO VEA CERVANTES, CESAR
LOYA SOTO, MANUEL LOYA SOTO, JULIAN GAUGE ORDONEZ, JOSE LUIS
SIERRA BARRIENTOS, HECTOR MANUEL URIAS MORENO, JORGE
VALENZUELA ARMENTA, URIEL ZELAYA, ARTURO FRIAS CEBALLOS, JUAN
JOSE HIGUERA GONZALEZ, JESUS RENE SARMIENTO VALENZUELA, ALEK
JAMES BAUMGARTNER, MONIQUE GREEN, ANDREW CAIN KRISTOVICH,
JOSE RANGEL ORTEGA, GERALD KEITH RIGGINS, ESTHER LA RENA SCOTT,
MICHAEL JOHN SCOTT, KAREN SURYAN, ORLANDO BARAJAS, OSCAR
HUMBERTO CARRILLO SALCEDO, MARTIN GONZALEZ JIMENEZ, HECTOR

SUPERSEDING INDICTMENT

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MARIO JACOBO CHAIREZ, JESUS ALFONSO MORA QUINONEZ, RAMON PUENTES, and others known and unknown, did knowingly and intentionally conspire to distribute substances controlled under Title 21, United States Code, Section 812, Schedules I and II, to wit: heroin, Fentanyl, and methamphetamine, contrary to the provisions of Title 21, United States Code.

Specific Quantity Allegations as to Heroin

The Grand Jury further alleges that with respect to CARLOS EDUARDO LOPEZ HERNANDEZ, DANIEL OSVALDO ROCHA LOPEZ, JAIME HEREDIA CASTRO, JUAN AVILES BERRELLEZA, OTHON ALONSO VEA CERVANTES, CESAR LOYA SOTO, JOSE LUIS SIERRA BARRIENTOS, HECTOR MANUEL URIAS MORENO, ARTURO FRIAS CEBALLOS, JUAN JOSE HIGUERA GONZALEZ, JESUS RENE SARMIENTO VALENZUELA, GERALD KEITH RIGGINS, MARTIN GONZALEZ JIMENEZ, HECTOR MARIO JACOBO CHAIREZ, and JESUS ALFONSO MORA QUINONEZ, their conduct as members of the conspiracy charged in Count 1, which includes the reasonably foreseeable conduct of other members of the conspiracy charged in Count 1, involved 1 kilogram or more of a mixture or substance containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(A).

The Grand Jury further alleges that with respect to MONIQUE GREEN, KAREN SURYAN, and URIEL ZELAYA, their conduct as members of the conspiracy charged in Count 1, which includes the reasonably foreseeable conduct of other members of the conspiracy charged in Count 1, involved 100 grams or more of a mixture or substance containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(B).

Specific Quantity Allegations as to Fentanyl

The Grand Jury further alleges that this with respect to CARLOS EDUARDO LOPEZ HERNANDEZ, DANIEL OSVALDO ROCHA LOPEZ, JAIME HEREDIA CASTRO, JUAN AVILES BERRELLEZA, OTHON ALONSO VEA CERVANTES,

1 CESAR LOYA SOTO, MANUEL LOYA SOTO, HECTOR MANUEL URIAS
 2 MORENO, JORGE VALENZUELA ARMENTA, ARTURO FRIAS CEBALLOS,
 3 JUAN JOSE HIGUERA GONZALEZ, JESUS RENE SARMIENTO VALENZUELA,
 4 ANDREW CAIN KRISTOVICH, ESTHER LA RENA SCOTT, MICHAEL JOHN
 5 SCOTT, MARTIN GONZALEZ JIMENEZ, JESUS ALFONSO MORA QUINONEZ,
 6 and RAMON PUENTES, their conduct as members of the conspiracy charged in Count
 7 1, which includes the reasonably foreseeable conduct of other members of the conspiracy
 8 charged in Count 1, involved 400 grams or more of a mixture or substance containing a
 9 detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide
 10 (Fentanyl), and 100 grams or more of any analogue of N-phenyl-N-[1-(2-phenylethyl)-4-
 11 piperidinyl] propanamide (Fentanyl), in violation of Title 21, United States Code, Section
 12 841(b)(1)(A).

13 The Grand Jury further alleges that with respect to ALEK JAMES
 14 BAUMGARTNER and JOSE RANGEL ORTEGA, their conduct as members of the
 15 conspiracy charged in Count 1, which includes the reasonably foreseeable conduct of
 16 other members of the conspiracy charged in Count 1, involved 40 grams or more of a
 17 mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-
 18 4-piperidinyl] propanamide (Fentanyl), and 10 grams or more of any analogue of N-
 19 phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (Fentanyl), in violation of Title
 20 21, United States Code, Section 841(b)(1)(B.).

21 ***Specific Quantity Allegations as to Methamphetamine***

22 The Grand Jury further alleges that with respect to CARLOS EDUARDO LOPEZ
 23 HERNANDEZ, DANIEL OSVALDO ROCHA LOPEZ, EDGAR CABRERA, OTHON
 24 ALONSO VEA CERVANTES, JULIAN GAUGE ORDONEZ, URIEL ZELAYA, and
 25 MARTIN GONZALEZ JIMENEZ, their conduct as members of the conspiracy charged
 26 in Count 1, which includes the reasonably foreseeable conduct of the other members of the
 27 conspiracy charged in Count 1, involved 50 grams or more of methamphetamine, its salts,
 28 isomers, and salts of its isomers, and 500 grams or more of a mixture or substance

1 containing a detectable amount of methamphetamine, its salts, isomers, and salts of its
2 isomers, in violation of Title 21, United States Code, Section 841(b)(1)(A).

3 The Grand Jury further alleges that with respect to ANDREW CAIN
4 KRISTOVICH, his conduct as a member of the conspiracy charged in Count 1, which
5 includes the reasonably foreseeable conduct of the other members of the conspiracy
6 charged in Count 1, involved 5 grams or more of methamphetamine, its salts, isomers,
7 and salts of its isomers, and 50 grams or more of a mixture or substance containing a
8 detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, in
9 violation of Title 21, United States Code, Section 841(b)(1)(B).

10 All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1), and
11 846.

12 **COUNT 2**
13 **(Conspiracy to Commit Money Laundering)**

14 Beginning at a time unknown, but within the last five years, and continuing
15 through December 6, 2018, in Skagit County, within the Western District of Washington,
16 and elsewhere, JAIME HEREDIA CASTRO, ORLANDO BARAJAS, and others known
17 and unknown, unlawfully and knowingly combined, conspired, confederated and agreed
18 together and with each other to commit certain money laundering offenses under Title 18,
19 United States Code, Section 1956, as follows:

20 **1956(a)(1)(B)(i)**

21 Did conduct and attempt to conduct financial transactions, that is: transactions
22 involving the movement of funds by wire and other means affecting interstate and foreign
23 commerce, which in fact involved the proceeds of specified unlawful activity, that is,
24 conspiracy to distribute controlled substances, in violation of Title 21, United States
25 Code, Sections 841(a)(1) and 846, knowing that the transactions are designed in whole or
26 in part to conceal and disguise the nature, the location, the source, the ownership, and the
27 control of the proceeds of the specified unlawful activity, in violation of Title 18, United
28 States Code, Section 1956(a)(1)(B)(i); and

1956(a)(1)(B)(ii)

Did conduct and attempt to conduct financial transactions, that is: transactions involving the movement of funds by wire and other means affecting interstate and foreign commerce, which in fact involved the proceeds of specified unlawful activity, that is, conspiracy to distribute controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 846, knowing that the transactions are designed in whole or in part to avoid a transaction reporting requirement under State and Federal Law, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(ii).

The Grand Jury further alleges this offense was committed during and in furtherance of the conspiracy charged in Count 1, above.

All in violation of Title 18, United States Code, Section 1956(h).

COUNT 3**(Conspiracy to Commit Money Laundering)**

Beginning at a time unknown, but within the last five years, and continuing through December 6, 2018, in King County, within the Western District of Washington, and elsewhere, OSCAR HUMBERTO CARRILLO SALCEDO, CARLOS EDUARDO LOPEZ HERNANDEZ, DANIEL OSVALDO ROCHA LOPEZ, EDGAR CABRERA, GREGORY DAVID WERBER, and others known and unknown, unlawfully and knowingly combined, conspired, confederated and agreed together and with each other to commit certain money laundering offenses under Title 18, United States Code, Section 1956, as follows:

1956(a)(1)(B)(i)

Did conduct and attempt to conduct financial transactions, that is: transactions involving the movement of funds by wire and other means affecting interstate and foreign commerce, which in fact involved the proceeds of specified unlawful activity, that is, conspiracy to distribute controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 846, knowing that the transactions are designed in whole or in part to conceal and disguise the nature, the location, the source, the ownership, and the

1 control of the proceeds of the specified unlawful activity, in violation of Title 18, United
2 States Code, Section 1956(a)(1)(B)(i); and

3 **1956(a)(1)(B)(ii)**

4 Did conduct and attempt to conduct financial transactions, that is: transactions
5 involving the movement of funds by wire and other means affecting interstate and foreign
6 commerce, which in fact involved the proceeds of specified unlawful activity, that is,
7 conspiracy to distribute controlled substances, in violation of Title 21, United States
8 Code, Sections 841(a)(1) and 846, knowing that the transactions are designed in whole or
9 in part to avoid a transaction reporting requirement under State and Federal Law, in
10 violation of Title 18, United States Code, Section 1956(a)(1)(B)(ii).

11 The Grand Jury further alleges this offense was committed during and in
12 furtherance of the conspiracy charged in Count 1, above.

13 All in violation of Title 18, United States Code, Section 1956(h).

14 **COUNT 4**
15 **(Money Laundering)**

16 On or about November 29, 2018, in King County, in the Western District of
17 Washington, the Central District of California, and elsewhere, GREGORY DAVID
18 WERBER, did knowingly conduct and attempt to conduct a financial transaction
19 affecting interstate and foreign commerce, which transaction involved property
20 represented by a law enforcement officer to be the proceeds of specified unlawful
21 activity, specifically, distribution of controlled substances, in violation of Title 21, United
22 States Code, Section 841, with the intent to conceal and disguise the nature, location,
23 source, ownership and control, of property believed to be proceeds of specified unlawful
24 activity and to avoid a transaction reporting requirement under State or Federal law.

25 All in violation of Title 18, United States Code, Sections 1956(a)(3)(B),
26 1956(a)(3)(C) and 2.

COUNT 5
(Money Laundering)

On or about December 5, 2018, in King County, in the Western District of Washington, and elsewhere, GREGORY DAVID WERBER and OSCAR HUMBERTO CARRILLO SALCEDO, did knowingly conduct and attempt to conduct a financial transaction affecting interstate and foreign commerce, which transaction involved property represented by a law enforcement officer to be the proceeds of specified unlawful activity, specifically, distribution of controlled substances, in violation of Title 21, United States Code, Section 841, with the intent to conceal and disguise the nature, location, source, ownership and control, of property believed to be proceeds of specified unlawful activity and to avoid a transaction reporting requirement under State or Federal law.

All in violation of Title 18, United States Code, Sections 1956(a)(3)(B), 1956(a)(3)(C) and 2.

ASSET FORFEITURE ALLEGATIONS

Drug Offense

The allegations in Count 1 of this Indictment are hereby realleged and incorporated by reference herein for the purpose of alleging forfeiture to the United States pursuant to Title 21, United States Code, Section 853.

Pursuant to Title 21, United States Code, Section 853, upon conviction of the felony drug offense charged in Count 1 of this Indictment, defendants CARLOS EDUARDO LOPEZ HERNANDEZ, DANIEL OSVALDO ROCHA LOPEZ, JAIME HEREDIA CASTRO, JUAN AVILES BERRELLEZA, EDGAR CABRERA, OTHON ALONSO VEA CERVANTES, CESAR LOYA SOTO, MANUEL LOYA SOTO, JULIAN GAUGE ORDONEZ, JOSE LUIS SIERRA BARRIENTOS, HECTOR MANUEL URIAS MORENO, JORGE VALENZUELA ARMENTA, URIEL ZELAYA, ARTURO FRIAS CEBALLOS, JUAN JOSE HIGUERA GONZALEZ, JESUS RENE SARMIENTO VALENZUELA, MONIQUE GREEN, ANDREW CAIN KRISTOVICH,

JOSE RANGEL ORTEGA, GERALD KEITH RIGGINS, ESTHER LA RENA SCOTT, MICHAEL JOHN SCOTT, KAREN SURYAN, ORLANDO BARAJAS, OSCAR HUMBERTO CARRILLO SALCEDO, MARTIN GONZALEZ JIMENEZ, HECTOR MARIO JACOBO CHAIREZ, JESUS ALFONSO MORA QUINONEZ, and RAMON PUENTES, shall forfeit to the United States of America any and all property, real or personal, constituting or derived from, any proceeds the defendants obtained, directly or indirectly, as the result of such offenses, and shall further forfeit any and all property, real or personal, used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses. The property to be forfeited includes, but is not limited to, the following:

- a. One hundred sixty-four thousand, one hundred and sixteen dollars (\$164,116.00), more or less, seized from 31900 104th Avenue Southeast, Unit I-101, Auburn, Washington, on August 31, 2018;
- b. Four pairs of shoes; and
- c. Sums of money representing the proceeds that each defendant individually obtained as a result of the Conspiracy to Distribute Controlled Substances, as alleged in Count 1, above.

Money Laundering Offenses

The allegations in Counts 2-5 of this Indictment are hereby realleged and incorporated by reference herein for the purposes of alleging forfeiture to the United States pursuant to Title 18, United States Code, Section 982(a)(1).

Upon conviction of the felony offense in violation of Title 18, United States Code, Sections 1956, as charged in Counts 2-5 of this Indictment, defendants JAIME HEREDIA CASTRO, ORLANDO BARAJAS, OSCAR HUMBERTO CARRILLO SALCEDO, CARLOS EDUARDO LOPEZ HERNANDEZ, DANIEL OSVALDO ROCHA LOPEZ, EDGAR CABRERA, and GREGORY DAVID WERBER shall forfeit to the United States of America any property, real or personal, involved in such offenses, and any property traceable to such property, including but not limited to the following,

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- 1 a. Sums of money representing any property, real or personal, involved in the
2 offenses charged in Counts 2-5 of this Indictment, and any property
3 traceable to such property that each defendant individually obtained.

4 ***Substitute Assets***

5 If any of the property described above, as a result of any act or omission of the
6 defendants:

- 7 a. cannot be located upon the exercise of due diligence;
8 b. has been transferred or sold to, or deposited with, a third party;
9 c. has been placed beyond the jurisdiction of the Court;
10 d. has been diminished in value; or
11 e. has been commingled with other property which cannot be divided without
12 difficulty,

13 //

14 //

15 //

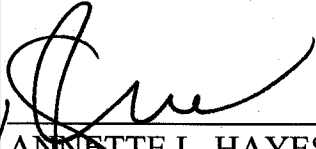
1 it is the intent of the United States, pursuant to Title 21, United States Code, Section
2 853(p), to seek the forfeiture of any other property of the defendants up to the value of
3 the above-described forfeitable property.
4

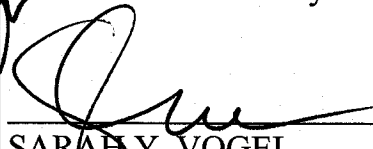
5 A TRUE BILL:

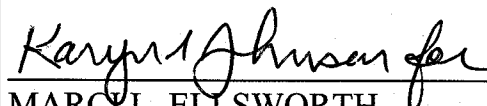
6 DATED: 12-13-2018
7


8 *(Signature of Foreperson redacted*
9 *pursuant to the policy of the Judicial*
10 *Conference of the United States)*

11 _____
12 FOREPERSON
13

14 
15 ANNETTE L. HAYES
16 United States Attorney

17 
18 SARAH Y. VOGEL
19 Assistant United States Attorney

20 
21 MARCYL L. ELLSWORTH
22 Assistant United States Attorney

23 
24 KARYN S. JOHNSON
25 Assistant United States Attorney
26
27
28